



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,252	03/10/2004	Wen Hsiang Yueh	MR1957-861	2376
4586	7590	12/13/2006	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			WEST, LEWIS G	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/796,252

Applicant(s)

YUEH, WEN HSIANG

Examiner

Lewis G. West

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1 paper</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmitt (US 6,892,051) in view of Huang (20030045265).

Regarding claim 1, Schmitt discloses a control module, comprising: a car audio apparatus having at least a speaker (132) used for sound output and a socket (104), the car audio apparatus connecting with a sound signal processor; a Bluetooth module disposed in a Bluetooth device to provide an interface between the Bluetooth device and the car audio apparatus; a sound switch (200) disposed inside the car audio apparatus (106) and connected with the sound signal processor, the sound switch (200) being used to choose a sound signal sent from the Bluetooth earphone or the car audio apparatus (106) and output the sound signal via the speaker (132); and a sound control circuit (108) disposed inside the car audio apparatus (106) and connected with the sound switch (200); wherein when the Bluetooth device is plugged into the socket of the car audio apparatus to make car audio apparatus connect with the Bluetooth module (Col. 5 lines 45-54), the sound switch is controlled to silence automatically the car audio apparatus and output the sound signal sent from the Bluetooth device via the speaker (Col. 5 line 45- col. 6 line 47), and when the Bluetooth device is taken out from the socket, the car audio apparatus serves as a common audio apparatus. (Col. 6 lines 48-58, wherein it is sensed by the adapter that the device is present and therefore active, and logically would become inactive when removed as there

Art Unit: 2618

would be no logic and power connections), but does not expressly disclose a Bluetooth earset. Huang discloses a Bluetooth earset in an analogous system that also mutes vehicle audio in the presence of phone communications. (0019) Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use a Bluetooth earpiece, as they allow for hands free use in a vehicle thereby causing less distraction to a driver.

Regarding claim 2, the combination if Schmitt and Huang discloses the control module as claimed in the claim 1, wherein the Bluetooth module is connected with a digital signal processor, wherein the digital signal processor is connected to a microphone and an earphone, and the digital signal processor is used to convert an analog signal sent from the microphone into a digital signal, encode/decode the sound signal, process signals and send the processed signals via the Bluetooth module. (Schmitt Figure 1; Col. 4 lines 14-40)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ou (US 2004/0204163) and Chen (US 6,349,223) are cited as relevant to vehicle audio systems used for communications devices and muting.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis G. West whose telephone number is 571-272-7859. The examiner can normally be reached on Monday-Friday 7:00-3:30.

Art Unit: 2618

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Lewis West
(571) 272-7859